

**Susan Lane
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**Michigan Senate Insurance Com Hearings
June 12, 2012 at 2:00 pm
123 W. Allegan Street, Lansing MI 48933**

**SB 1116. The New Michigan Standard of Care:
Good Faith, Reasonable Belief and Best interest of the Patient**

**SB 1117. Changing Household Services from an Economic Damage to a
Noneconomic Damage and Other Reductions in the Ability to Seek
Compensation.**

Hello my name is Susan Lane. I live with my children in St. Joseph, Michigan. I contacted my local Senator, who is Senator Proos, but I also wanted to appear before this committee and voice my opposition to these bills which would negatively affect me personally as well as other people and their families who have been injured as a result of medical malpractice. I have a very personal interest in this because at this time I am involved in a malpractice case due to the wrongful death of my husband Craig Lane, who was only 52 years old when he died.

On September 21, 2009, my husband went to the emergency room at the local hospital because he was afraid he was having a heart attack. On a scale of 1 to 10, he said his pain was over a ten, and it was the worst pain he had ever had. The emergency room doctors examined him, and immediately called a cardiologist. My husband was admitted to the hospital and when his medical tests indicated that he was not having a heart attack, he was scheduled for a stress test the following day, even though he was still having some pain. He was also scheduled for an echo cardiogram. At the time of the stress test, he did not feel well, and was unable to stand up. The

stress test had to be completed with him lying down. He then had an echocardiogram, and after his cardiologist looked at it, he said my husband did not have a heart attack and he discharged my husband from the hospital. This was on the 22nd of September, which was our son's 4th birthday. My husband was discharged while still very uncomfortable, and told to take Prevacid for acid reflux.

On Thursday, September 24th, my husband and my children's father, never came home from work and was found dead at his office. After a private autopsy, he was found to have had an aortic dissection (a tear in his aorta which ultimately suffocated the heart and caused his death). This was what had caused his terrible pain, when he first went to the hospital. I have subsequently learned that the echocardiogram that my husband had just before he was discharged was abnormal, and indicated that the aorta was dilated. The cardiologist ignored this abnormality when he discharged my husband. Had the cardiologist ordered a CAT scan of the chest, which was the correct test to perform, Craig's condition would have been discovered and surgery would have been done which would have saved his life. There are two cardiology experts in my case who have said that it was the standard of care to do a CAT scan based on my husband's symptoms, and his abnormal echocardiogram, and that the standard of care was not followed by the cardiologist in my husband's case.

We entrust our lives to the physicians who care for us. They chose this as their profession and life's work. When we leave an office or hospital, we believe that the doctor did what was reasonable to discover what our ailments or illnesses are. We believed that to be the case when we left the hospital that day. We were led to believe that if Craig would take this Prevacid that these symptoms would go away and he would

be fine.

Today, I am a single mother of three children. Mackenzie 16, Camryn 12, and Jackson 6. I was left with rental properties in Benton Harbor, MI to run on my own as that was Craig's profession. I have had to pay someone to assist me with these properties as I am unable to do everything that Craig did for these properties, and I cannot handle this alone in these areas. I am also unable to do all the maintenance and repairs on our house that Craig and I owned and had a mortgage on. We were left with no social security. What I did have has been put into maintaining these properties and that is almost exhausted. I am close to losing our home. From there, I do not know where we go. This error by the doctor has caused not only financial pain, but also emotional damage to me and the children that is irreparable. I lost my husband and best friend and my children have no father.

Where to people in my situation go? What do we turn to? This did not have to happen had this physician done his job correctly. He was not acting in the best interest of my husband as he did not do simple, standard tests that his symptoms warranted! If you pass a law that says he can use his good faith belief that he was acting in my husband's best interest, we will have no way to hold him accountable for his clear mistake.

I am asking you to consider people like myself and my children and many others like us when considering these very important bills. I have three children to raise on my own and provide an education for without the help and support of their father. I am told that my family's emotional loss as a result of Craig's death is subject to the noneconomic damages cap in this case. For you to also pass a law that says we

cannot recover as an economic damage for the value of the home repairs and services Craig did around the house will severely limit our recovery and our ability to make ends meet and save our home. The quality of medical care and its standards will only decrease if physicians are not held accountable for their errors. Sadly, there will be many more stories like mine.

Thank you for your attention regarding this very important matter.

SUSAN M. LANE